

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

AARON JOHN UPCHURCH,

Plaintiff,

v.

Case No. 13-cv-0116 JCH/SMV

TIM NYCE,

Defendant.

**ORDER GRANTING MOTION TO PROCEED
ON APPEAL WITHOUT PREPAYMENT OF COSTS OR FEES**

THIS MATTER is before the Court on Plaintiff's Motion and Affidavit for Leave to Proceed on Appeal Pursuant to 28 U.S.C. § 1915 and Fed. R. App. P. 24 [Doc. 19], filed on June 10, 2013. The Court, being fully advised in the premises, FINDS that the motion is well-taken and should be granted.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion and Affidavit for Leave to Proceed on Appeal Pursuant to 28 U.S.C. § 1915 and Fed. R. App. P. 24 [Doc. 19] is **GRANTED**;

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge